

CLASSIFICATION OFFICE DECISION

Title of publication: 20160917_183734.jpg

Other known title(s): Not stated

OFLC ref: 1800592.005

Medium: Image File

Publisher: Not stated

Country of origin: Philippines

Language: Not applicable

Applicant: Comptroller of Customs

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 21 February 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 21 February 2019

Summary of reasons for decision:

The image depicts a teenage boy performing a sexual act. It is deemed to be objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) because it promotes and supports the exploitation of young persons for sexual purposes. The image is clearly intended to arouse those with a sexual interest in teenage boys. The availability of such material encourages the creation or reinforcement of this sexual interest by presenting young persons as appropriate and available subjects for adult sexual fantasy and desire. The objectionable classification interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention to ban material that falls under s3(2) of the FVPC Act and reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.